Remarks/Arguments:

The pending claims are 1-19. Claims 1-9 have been allowed. Claims 11-15 have been objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form. Claims 16-19 have been added. No new matter is introduced therein.

Paragraph 3 of the Office Action has objected to claims 5 and 7. Since those claims have been amended in accordance with the Examiner's helpful suggestion, applicants request that the objection be withdrawn. Claims 5 and 7 are now in condition for allowance.

Paragraph 5 of the Office Action has rejected claim 10 under 35 U.S.C. § 102(e) as anticipated by Kuhara et al. (U.S. Patent No. 6,733,190). The rejection is respectfully traversed. Claim 10 recites, in part:

> a fiber optic unit coupled to the photosensor to create a joint between the photosensor and the fiber optic unit.

Relying upon column 2, line 35 of Kuhara, the Office Action contends that Kuhara discloses a joint between the photosensor 15 and a fiber optic unit comprising a ferrule 18 and a fiber 19. Applicants respectfully disagree. Referring to Figure 2 of Kuhara, column 2, line 35 states that "[t]he fiber is directly coupled to the PD 15."

"Joint" is defined as "a place where two things or parts are joined;" "an area at which two ends, surfaces, or edges are attached." Merriam-Webster's Collegiate Dictionary, 11th ed. (2003). Applicants' specification applies this definition. For example, applicants' specification states:

> A first end 16 of the fiber optic unit 14 is bonded to the photosensor 22 to create a joint. (page 5, lines 7-8)
>
> The joint between the fiber optic unit and the photosensor is compressed. (page 5, lines 9-10)
>
> When fiber optic unit 14 is bonded to photosensor 22, a joint is created between the fiber optic unit and the photosensor. (page 6, lines 17-18)

Nothing in Kuhara discloses a joint between its photosensor 15 and its fiber optic unit 18, 19. Instead, the Kuhara disclosure only describes devices that maintain a separation between the photosensor and the fiber optic unit. For example, referring to Figures 2 and 3, the Kuhara disclosure refers to an air gap between the photosensor and the fiber optic unit. (col. 2, lines 58-62). The air gap is also shown in Figures 2 and 3. Column 4, lines 31-34 of the Kuhara disclosure also refers to the air gap between those two elements in Figure 7. See also, for example, column 5, line 35, referring to Figures 10 and 11. In fact, all of the figures in Kuhara show a space between the photosensor and the fiber optic unit. Consequently, Kuhara does not disclose "a joint between the photosensor unit and the fiber optic unit" as recited in claim 10.

Claim 10 also recites, in part:

> a force applying means coupled to the photosensor and the fiber optic unit for applying a compression force to the joint.

Relying upon column 7, lines 24-28 of Kuhara, the Office Action contends that Kuhara discloses a force applying means 24, 40, and 41 that meets this recitation. Applicants respectfully disagree. Column 7, lines 24-28 of Kuhara refers to compressive forces represented by arrows D, E, and F in Figures 12 and 13. The forces identified by Kuhara do not meet the recitations in claim 10.

Claim 10 recites "a compression force to the joint" "between the photosensor and the fiber optic unit." (emphasis added). First, Figures 12 and 13 do not disclose such a joint. Therefore, even though the cited portion of Kuhara does refer to "compressive forces," the compressive forces are not applied to a joint between the photosensor and the fiber optic unit because there is no such joint in Kuhara. Second, the cited portion of Kuhara expressly states that the compressive forces are applied to the resin that is positioned between the photosensor and the fiber optic unit. See also, column 7, lines 26 ("pressuring forces which should compress the resin") (emphasis added); column 7, lines 40-49 (repeated references to applying pressure to the resin). Accordingly, there is no suggestion in Kuhara that compressive forces are applied to anything other than the resin. That is, there is no suggestion in Kuhara that a compressive force is applied to a joint between the photosensor and the fiber optic unit.

For all of the above reasons, claim 10 is not subject to rejection under 35 U.S.C. § 102(e) as anticipated by Kuhara.

Applicants note with appreciation that, in paragraph 6 of the Office Action, the Examiner has indicated that claims 11-15 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have not rewritten these claims into independent form at this time because they believe that base claim 10 is allowable for the reasons stated above.

Applicants also note with appreciation that, in paragraph 7 of the Office Action, the Examiner has stated that claims 1-9 are allowed.

Claims 16-19 have been added. Claim 17 depends from claim 16. Claim 16 recites that the fiber optic unit is "bonded to the photosensor at a joint between the photosensor and the fiber optic unit." This recitation is more specific than claim 10. Bonding a fiber optic unit to a photosensor at a joint between them is not disclosed in Kuhara. At shown above, the photosensor in Kuhara is not bonded to a fiber optic unit because there is a space between them. For this reason alone, claims 16 and 17 are not subject to rejection under 35 U.S.C. § 102(e) as anticipated by Kuhara. Claim 17 recites that "the force applying apparatus includes a spring and a flexible layer between the spring and the photosensor." Since Kuhara does not show these features, claim 17 is not subject to rejection under 35 U.S.C. § 102(e) as anticipated by Kuhara for this additional reason.

Claim 18 recites the step of "bonding a first end of the fiber optic unit to the photosensor at a joint" between them. Claim 18 also recites the step of compressing the joint between the fiber optic unit and the photosensor. Since these features are not shown in Kuhara, claim 18 is not subject to rejection under 35 U.S.C. § 102(e) as anticipated by Kuhara. Since claim 19 depends from claim 18, claim 19 is also not subject to the rejection for at least the same reasons that claim 18 is not subject to rejection. In addition, claim 19 recites, in part, the additional step of "applying pressure along at least one of the optical axis of the fiber optic unit and the optical axis of the photosensor." Since these features are also not shown in Kuhara, claim 19 is not subject to the rejection for these additional reasons.

For all of the above reasons, applicants solicit allowance of the entire application.

Respectfully submitted,

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